

**AFRIKANER VOLKSUNIE**

In response to the decisions taken in the Negotiating Council on 11 August 1993 that, with regard to section 118 of the Second Draft Constitution, parties should submit their proposals with regard to the exclusive and concurrent legislative powers of SPR's

**Proposals**

The AVU proposes the following additions in section 118 (1)

- (p) SPR citizenship
- (q) Local government
- (r) Housing
- (s) Education
- (t) Health services
- (u) Welfare services
- (v) SPR and local policing

**Motivation**

- (p) : In extensive debate in the Negotiating Council on 11 August 1993 adequate motivation has been given for this addition.
- (q) : Since the object of this Constitution is to create three tiers of government, we think it appropriate that the lowest level of government should fall within the exclusive legislative competence of the second level of government i.e. SPR's. It would place an undue burden on a local government and could create confusion if both SPR and National Government legislated for it.
- (r) : Since town planning as well as SPR planning and development falls within the exclusive legislative competences of SPR's (section 118(1)(b) and (c)), it is only logical housing, which forms an integrated part of planning functions, also be included in the exclusive powers of the SPR's.
- (s) : Since language policy forms part of exclusive powers and is also intricately

linked to education policy, education should also form part of an SPR's exclusive powers. The peculiar cultural needs of the different communities in South Africa can best be served through SPR legislation.

- (t) and (u) SPR's have the exclusive power with regard to the appropriation of SPR revenue and since both welfare and health services requires extensive funding it seems essential for SPR's to at least also have legislative powers in those functional areas where they are to appropriate the funds.
  
- (v) : The legitimacy of policing agencies depends on their acceptance by the local community. It will therefore serve the purposes of law and order, as well as peace, if communities, in the form of their legislative representatives have as much say as possible in SPR and local policing.

With regard to those functional areas listed above which require the maintenance of national and minimum standards as well as uniformity, subsection 118(3) will provide the necessary powers to the central government to achieve these ends.

Let us bring government closer to the people.